

COMMISSION OF THE EUROPEAN COMMUNITIES

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on financial participation by the Community in
respect of the inspection and surveil-
lance operations in the maritime waters
of Denmark and Ireland

(submitted to the Council by the Commission)

Explanatory Memorandum

1. General aspects

The introduction of a Community regime for the conservation and management of fishery resources, involving measures, quantitative and otherwise, to ensure a rational exploitation stocks, needs to be accompanied by an adequate control system organized on a Community basis.

Although this control should be essentially preventive in its concern to ensure balance between the production potential of each Member State and the resources available, an adequate inspection of Community fishing grounds is needed to check that the fishermen of the Community are abiding by the rules.

This control must also be such as to afford strict surveillance of the fishing done by vessels of non-member countries authorized, under certain conditions, to fish in the Community zone, and to protect this zone from vessels having no authorization to fish.

This being so, it would appear that this control of fishing grounds cannot be effective unless appropriate inspection and surveillance structures covering the whole of the fishing zones of Member States, or at least those zones which have most interest for fishing, are reinforced as soon as possible.

For these reasons the Commission, having regard to the Council Declaration of 3 November 1976, which recognized that the putting into operation of means of surveillance, available or planned, should be accompanied by appropriate measures in order to that their cost is fairly shared, has prepared this proposal providing for a financial contribution by the Community towards the cost of bringing into service the appropriate specialized inspection and surveillance facilities in the waters off Greenland and Ireland.

This contribution would permit :

- the purchase of the vessels, aircraft and related equipment which need to be brought into service in the medium term
- the leasing of the control vessels and aircraft which need to be put into service immediately for a period not exceeding two years.

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The special measures being proposed for Denmark and Ireland reflect a concern that the inspection and control of the fishing zones off the Greenland and Irish coasts should not, bearing in mind the extent of these zones, impose an economic burden on these countries out of proportion to the contribution that fishing in these zones makes to their economies.

The funds for short- and medium-term operations made available to the organizations responsible for maritime protection and surveillance will be eligible for Community financing.

The proposed measure will be of limited duration, namely up to 31 December 1982 for medium-term measures and up to 31 December 1978 for short-term measures.

The Commission proposes finally that the Council should decide before 31 December 1982 on the measures to be taken to ensure that after that date the cost of inspection and surveillance of their maritime waters is fairly shared between the Member States. That decision should be based on the relationship between the economic cost of inspection and surveillance and the contribution which fishing makes to the economy of each Member State at that date.

2) Financial and budget aspects and general provisions

a) Financial effect

It is proposed that the Community should reimburse to the Member States concerned part of the expenditure they incur in implementing the measures provided for in this Directive. Community participation amounts to 50 % of eligible expenditure.

In accordance with the relevant procedures a financial note is annexed to this proposal showing the estimated cost of the necessary operations spread over a period of five years which amount to

15 million units of account for Denmark

55 million units of account for Ireland.

b) Budget presentation

The Commission considers that this is a specific measure, and not a common measure within the meaning of Regulation No. 729/70 which may be financed from the appropriations provided for the European Agriculture

Guidance and Guarantee Fund, Guidance Section.

It is therefore proposed that an ad hoc chapter be created for this expenditure in the budget. It is recalled that at the Parliament's first reading of the draft 1978 budget it was proposed that an ad hoc item 8303 be created for this purpose.

C) Procedural aspects and implementation

The Commission proposes for the implementation of the provisions of this decision to make certain implementing provisions of Regulation No. 729/70 applicable by analogy.

It is proposed that the Commission should take a prior decision on the eligibility of expenditure on the basis of appropriate estimates drawn up by Denmark and Ireland both with regard to the technical characteristics of the investments and their operational suitability for inspection and surveillance duties.

The Community's financial participation, by way of the reimbursement of part of the eligible expenses incurred by Denmark and Ireland, will be decided upon, subject to the opinion of the EAGGF Committee on the financial aspects.

As this is a proposal of a general nature whose adoption is not necessitated by existing instruments and which concerns expenditure on a substantial scale, the Commission is of the opinion that the conditions for the application of the conciliation procedure are fulfilled.

COUNCIL DECISION

on a Community measure to improve inspection
and surveillance operations in the maritime
waters of Denmark and Ireland

THE COUNCIL OF THE EUROPEAN COMMUNITIES,,

Having regard to the Treaty establishing the European Economic Community
and in particular Article 43 thereof,

Having regard to the proposal from the Commission, (1)

Having regard to the Opinion of the European Parliament, (2)

Whereas the introduction of a Community regime for the conservation and management of fishery resources and the introduction of restrictions on fishing necessitate, in the Community interest, the protection of the resources and surveillance of the maritime waters which are within the jurisdiction of Member States;

Whereas, because of the extent of the maritime waters under their jurisdiction, Denmark and Ireland are obliged, in order to effect the necessary inspection and surveillance measures in the fishing zone off Greenland and Ireland, to incur expenditure which is out of proportion to the contribution which fishing in those zones makes to their economies;

Whereas, in view of the fact that Denmark and Ireland do not yet have sufficient facilities for inspection and surveillance, it should be provided that the Community should finance part of the expenditure incurred by those Member States in bringing the appropriate specialized facilities into service in the medium term and in exercising the inspection and surveillance functions which are needed immediately;

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(1) J.O.

(2) J.O.

Whereas the organization in the medium and short term of an inspection and surveillance system will be facilitated if the Member State concerned places at the disposal of the organizations responsible for maritime inspection and surveillance sufficient funds to cover the total expenditure incurred in organizing this system;

Whereas all the measures envisaged are in the Community interest;

Whereas half of the expenditure incurred in the implementation of short term and medium term measures should be financed by the Community;

HAS DECIDED AS FOLLOWS :

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Article 1

1. The Community shall participate in financing the expenditure incurred by Denmark and Ireland bringing into service the appropriate specialized facilities for the inspection and surveillance of fishing activities in the waters under their jurisdiction **off the coasts** of Greenland and Ireland under the conditions laid down in the Annex.
2. The Community shall reimburse 50 % of the eligible expenditure of the Member States.

Article 2

The Council, in accordance with the procedure laid down in Article 43, paragraph 2, shall not later than 31 December 1982 take a decision on the sharing by the Community after that date of the expenditure of the Member States, referred to in Article 1, incurred in the inspection and surveillance of maritime waters within their jurisdiction.

This present decision concerns the Kingdom of Denmark and the Republic of Ireland.

Done at

For the Council,

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ANNEX

1. The Member State concerned shall make available to the organizations responsible for maritime inspection and surveillance of the waters within its jurisdiction the financial resources required to promote and implement adequate measures of inspection and surveillance of those waters in the medium and short term. The financial resources referred to shall cover all investment expenditure occasioned by the implementation of the measures referred to in paragraph 3.

2. The medium term measures shall be implemented by 31 December 1982.

These measures may concern :

- a) the purchase or construction of coastguard vessels and the purchase of the equipment necessary for inspection and surveillance duties,
- b) the purchase of reconnaissance aircraft and their technical, electronic and photographic equipment,
- c) any alterations to land-based installations necessary to ensure the normal operation of the measures referred to under (a) and (b).

3. The short term measures may be effected up to 31 December 1979.

These measures may concern :

- the leasing of coastguard vessels and reconnaissance aircraft,
- the equipment of such vessels and aircraft,
- operating costs, including personnel costs.

4. The Member State concerned shall forward to the Commission, by 31 July 1978, an estimate of expenditure relating to the measures referred to under paragraphs 2 and 3.

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That estimate should include :

- the planned capital investment in ships and aircraft, and the number to be leased, their home port, or, as the case may be, their operating base or geographical location,
- their type, operational capability (in particular as to range and speed) and their technical specifications, including the characteristics of their equipment and fittings,
- the planned dates of entry into service of the ships and aircraft,
- the proposed operational programme for each of these units.

Within two months of transmission of the estimated expenditure, the Commission, after having ascertained that the ships and aircraft, whether investments or leaseings, included in the estimates are appropriate for the inspection and surveillance duties for which they are intended and comply with the conditions for Community cost-sharing, shall decide on the eligibility of the proposed expenditure.

5. Applications for reimbursement shall relate to expenditure incurred by the Member State concerned in the course of a calendar year and shall be forwarded to the Commission before 1 July of the following year.

After consulting the EAGGF Committee on the financial aspects, the Commission shall take decisions on these applications, together or separately.

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6. The Member States shall furnish the Commission with all information which it may request on the application of this Decision.

If the Commission considers that the facilities for which Community financial aid was granted under this Decision are not being used for the purposes intended, the Member State concerned shall be so informed. The latter shall then initiate an administrative inquiry in which officials of the Commission may participate, and shall inform the Commission of the progress and the findings of the inquiry.

The Commission may make inspections to verify application of this Decision by the Member States concerned. The latter shall assist the officials appointed by the Commission for this purpose.

7. Each year the Commission shall present to the Council and to the European Parliament a report based on information supplied by Denmark and Ireland on the measures taken in respect of the maritime inspection and surveillance of the fishing zones off the coasts of Greenland and Ireland.

FINANCIAL ESTIMATE

This proposal is intended to promote the immediate establishment of facilities for inspection and surveillance and the adaptation of existing installations with a view to the more effective inspection of fishing activities in the fishing zones off the coasts of Greenland and Ireland.

The proposal therefore provides for financial participation in medium-term measures intended to cover the necessary investments and in short-term measures to ensure inspection and surveillance of the fishing zones in question.

Taking into account the extent and the nature of the maritime zones to be watched and the degree of effectiveness required of the means of inspection and surveillance in question (range of action, speed, operational capability), the Commission provisionally estimates the total cost of the operations provided for in this proposal at 70 million units of account with the following breakdown:

Denmark - 15 million u.a.

Ireland - 55 million u.a.

The financial estimate is based on the following considerations :

(a) Inspection and surveillance operations off Greenland.

Manifestly the Greenland zone is much larger than the zone off Ireland. It covers about one million square miles against 130 000 square miles for Ireland. However, permanent control requirements are less extensive in the zone off Greenland and specific solutions should be possible due to :

- the unfavourable weather conditions (ice, fog),
- existing infrastructures (home ports, airports),
- the structure of the continental shelf,
- the seasonal fishing pattern,
- the quantities caught in the zones concerned.

It is therefore considered that effective surveillance could be achieved by the combined operation of helicopter support vessels, fast intervention vessels, and a reconnaissance aircraft.

In view of the present inspection and surveillance structures, mainly consisting of coastguard vessels of a class that can provide helicopter support and a fast class needed for boarding, it is estimated that the following additional inspection structures are needed :

- purchase of about 3 helicopters and spare parts	5 million u.a.
- purchase of one long-range aircraft	8
- modernization of existing vessels	1
- radar and other equipment	1
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	15 million u.a.

(b) Inspection and surveillance operations off Ireland.

The Irish zone to be kept under surveillance has an area of about 130 000 square miles.

Due to the nature of the continental shelf, the magnitude of the fishing resources and the relatively intensive fishing activities throughout the year, and the fact that Ireland has only one coastguard vessel (Deirdre II), surveillance requirements must be divided into short and medium term :

- in the short term the leasing of two vessels and one twin-engined aircraft would seem necessary to ensure in the immediate future and for about three years a minimum degree of control over the fishing grounds off Ireland. It is estimated that 5 million u.a. should be allocated for this type of operation ;
- in the medium term the following appear to be the requirements for inspection and surveillance of the abovementioned zone :
 - (a) purchase of 5 vessels of about 1 000 gross tonnage - 30 million u.a.
 - (b) purchase of 5 twin-engined medium-range aircraft - 20 million u.a.

Total	<hr/> 50 million u.a. //
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Conclusion.

Total expenditure on this measure thus amounts to :

- Denmark	:	15 million u.a.
- Ireland	:	<u>55 million u.a.</u>
		70 million u.a.

With 50 % Community financing, investment costs and leasing amount to :

35 million u.a. over 5 years.

Pluriannual schedule of expenditure.

	Denmark	Ireland	Total	EEC reimbursement
1978	2	2	4	2
1979	10	16	25	13
1980	3	15	18	9
1981	-	12	12	6
1982	-	10	10	5
Total	15	55	70	35

FINANCIAL STATEMENT

DATE : 16.11.1977

1. RELEVANT BUDGET HEADING CODE : Heading 8 - item 8303 (new code)
2. MEASURE : Conseil Decision on Community financial participation in inspection and surveillance operations off the coasts of Denmark and Ireland.
3. LEGAL BASIS : Article 43
4. OBJECTIVES : Surveillance and inspection of the fishing zones off the coasts of Greenland and Ireland, pursuant to the Hague Resolution of the Council of 3 november 1976.

5. FINANCIAL IMPLICATIONS	FOR THE MARKETING YEAR	CURRENT FINANCIAL YEAR	FOLLOWING FINANCIAL YEAR
5.0 EXPENDITURE		()	()
-CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTIONS)	-	2 million u.a.	13 million u.a.
-CHARGED TO NATIONAL ADMINISTR.			
-CHARGED TO OTHER NATIONAL GROUPS			
5.1 RECEIPTS			
-OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES)			
-NATIONAL			

	YEAR 1980	YEAR 1981	YEAR 1982
5.0.1 PLURIANNUAL PATTERN OF EXPENDITURE	9 million u.a.	6 million u.a.	5 million u.a.
5.1.1 PLURIANNUAL PATTERN OF RECEIPTS			

- 5.2 METHOD OF CALCULATION : The total cost of this measure is 70 million u.a., of which 50 %, or 35 million u.a. to be borne by the Community, and distributed as follows :
 - 7,5 million u.a. for Denmark
 - 27,5 million u.a. for Ireland

- 6.0 FINANCING POSSIBLE WITH APPROPRIATIONS ENTERED IN RELEVANT CHAPTER OF CURRENT BUDGET ? --YES/NO
- 6.1 FINANCING POSSIBLE BY TRANSFER BETWEEN CHAPTERS OF CURRENT BUDGET ? --YES/NO
- 6.2 NECESSITY FOR A SUPPLEMENTARY BUDGET ? YES/NO
- 6.3 APPROPRIATIONS TO BE WRITTEN INTO FUTURE BUDGETS ? YES/NO

COMMENTS : In view of the complex nature of the calculations, the financial estimate attached to this statement should be consulted.

